



Order Filed on May 26, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**
Caption in compliance with D.N.J. LBR 9004-
1(b)

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Attorneys for NewRez LLC d/b/a Shellpoint Mortgage

Servicing as servicer for New Residential Mortgage LLC

In Re:

Michael Lance McLernon

Kellyann McLernon

Debtors

Case No. 17-24054-JNP

Chapter 13

Hearing: April 28, 2020

ORDER RESOLVING MOTION FOR RELIEF

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: May 26, 2020

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Judge: Honorable Jerrold N. Poslusny, Jr., U.S.B.J.

Debtors: Michael Lance McLernon and Kellyann McLernon

Case No: 17-24054-JNP

Caption: Order Resolving Motion for Relief

Applicant: NewRez LLC d/b/a Shellpoint Mortgage Servicing
("Secured Creditor")

Applicant's Counsel: Hill Wallack LLP

Debtor's Counsel: Joel R. Spivack, Esq

Property Involved ("Collateral"): 43 N Highland Avenue, Runnemede, NJ 08078

Relief sought:

- ✓ Motion for Relief
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion for Relief is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 32 months (09/01/2017 through 04/01/2020) in the amount of \$1,386.49 per month.
- Debtor has a suspense balance of \$7.50.

Total Arrearages Due \$44,360.18.

2. Debtor must cure all post-petition arrearages, as follows:

- An immediate payment shall be made in the amount of \$44,360.18 to be received by the Secured Creditor no later than 14 days after the entry of this order.
- Beginning on May 1, 2020, regular monthly mortgage payments shall continue to be made, currently in the amount of \$1,386.49.

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Judge: Honorable Jerrold N. Poslusny, Jr., U.S.B.J.

Debtors: Michael Lance McLernon and Kellyann McLernon

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3. Payments to the Secured Creditor shall be made to the following address:

NewRez LLC d/b/a Shellpoint Mortgage Servicing
PO Box 740039
Cincinnati, OH 45274-0039

4. In the event of Default:

If the Debtor fails to make the immediate payment specified above when due or fails to make any regular monthly payment or any additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

5. Award of Attorneys' Fees:

✓ The Applicant is awarded attorney's fees of \$500.00, and costs of \$181.00. The fees and costs are payable through the Chapter 13 plan.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Michael Lance McLernon
Kellyann McLernon
Debtors

Case No. 17-24054-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: May 26, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 28, 2020.

db/jdb +Michael Lance McLernon, Kellyann McLernon, 43 N Highland Avenue, Runnemede, NJ 08078-1504

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 28, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 26, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor NEW PENN FINANCIAL, LLC D/B/A SHELLPOINT MORTGAGE SERVICING dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth K. Holdren on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing as servicer for New Residential Mortgage LLC eholdren@hillwallack.com, jhanley@hillwallack.com/hwbknj@hillwallack.com
Isabel C. Balboa ecfm@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfm@standingtrustee.com, summarymail@standingtrustee.com
Joel R. Spivack on behalf of Joint Debtor Kellyann McLernon joel@spivacklaw.com, admin@spivacklaw.com;r44331@notify.bestcase.com
Joel R. Spivack on behalf of Debtor Michael Lance McLernon joel@spivacklaw.com, admin@spivacklaw.com;r44331@notify.bestcase.com
Melissa S DiCerbo on behalf of Creditor New Residential Mortgage, LLC nj-ecfm@mwclaw.com, nj-ecfm@ecf.courtdrive.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8